

Remarks/Arguments:

Claims 1-16 were pending in the application.

Claims 4, 7, and 10 are hereby cancelled.

Claims 1-3, 5-6, 8-9, and 11-16 are hereby amended.

1. Claim 11 was objected to. The amendments correct the word, as the Examiner accurately noted. Thank you for the observation.
2. Claim 1 was rejected under 35 USC 112, second paragraph. Applicant's amendment to claim 1 further clarifies the "optimizing" described in the claim. The reduction/limitation of the number of acknowledgement communications (or "ACKs") concept was originally disclosed in the predecessor related and incorporated applications referenced in the application as filed. No new matter is added.
3. Claims 1-7 were rejected under 35 USC 103(a) over Abrol in view of Mahany. Abrol was discussed in prior correspondence. Mahany is cited for providing to Abrol a concept of "an interface with capability for limiting a number of communications between the server and the client are reduced over wireless channel by limiting an extent of a data communicated from the server to the client device." Review of Mahany appears to indicate that any reduction of the extent of data communicated is the result of the switching among spectrum in a spread spectrum wireless communication. From this understanding, it may be possible that any particular server and any particular client would only communicate for a short period of time (i.e., until the spectrum is switched to another wireless band, for example, because of interference of a particular band, etc.); therefore, data communicated could be cut short. However, it does not appear that, for any particular server and client, there is any actual reduction in the particular data that is

communicated but yet the entire information is ultimately wirelessly communicated by the same server and client. Also, it does not appear that Mahany provides any teaching or suggestion that particular discernment of only portions of data from among an entire information (i.e., or aggregate of data that comprises the information), followed by wireless communication between server and client of only the portions so discerned, can or does occur or could occur to limit or optimize usage of the wireless bandwidth.

Applicant's amended claims, on the other hand, distinctly point out these new and non-obvious elements of Applicant.

4. Claims 8-10 were rejected under 35 USC 102(e) as anticipated by Abrol. Among other nuances, the amended claims 8 and 9 include the element of optimization by reducing receipt acknowledgements that pass between communicating devices, which is not disclosed by Abrol. Claim 10 was cancelled.

5. Claims 11-16 were rejected under 35 USC 102(e) as anticipated by Mahany. The amended claims 11-16 clarify that, of the aggregate of data that may comprise a particular message/item of information, the wireless communications are made with only portions of that data. The portions can provide an indication of what the entire information may be. A discernment between data, types of data, etc., can limit the amount of data (and thus the number of back and forth communications that must be made wirelessly) to communicate over the wireless channel. Claim 12 includes a laundry list of certain of the discernment/limitations that could be made among an aggregate of data in order to limit to communicating only certain of the aggregate.

As previously described, it appears that Mahany may, because of switching among spectrum or the like, cut off communications being made in one spectrum and shift to a

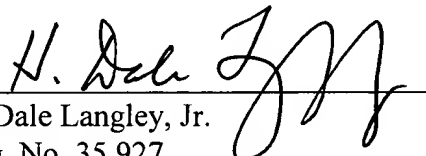
different spectrum for continued communications to get an entire message/item of information communicated. However, Mahany does not show an actual reduction in the ultimate amount of data that must be communicated and this is not described as intended or considered by Mahany.

Applicant requests reconsideration and withdrawal of the objections and rejections, and prompt allowance of all claims.

If the Examiner has any questions or comments, the undersigned attorney for Applicant respectfully requests a call to discuss any issues. The Office is authorized to charge any excess fees or to credit any overage to the undersigned's Deposit Account No. 50-1350.

Respectfully submitted,

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